UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,646	10/30/2001	Thomas S. Grason	BELL-0155/01267	2028

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EXAMINER
BLENMAN, AVALON

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
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<tr><td>Avalon Blenman</td><td>2153</td><td></td></tr>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 November 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☒ Claim(s) *1* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *12/14/2005*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is a <u>third action</u> in response to amendment and remarks filed

November 5th 2005. Claims 1-22 are presented for further consideration, of which 1, 12,

17, & 22 are independent claims. Claims 1, 12,17, & 22 are currently amended. Claims

23-31 have been cancelled. No claims have been added.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

11/25/2005 has been entered.

Response to Amendment

3.   Amendments to claims 1, 12, 17, & 22 have been entered.

Information Disclosure Statement

4.   The information disclosure statement (IDS) submitted on 10/16/2003 has been

entered and is in compliance with the provisions of 37 CFR 1.97. Accordingly, the

information disclosure statement is being considered by the examiner.

Claim Objections

5.   Claim **1** is objected to because of the following informalities: The phrase

"...register with said stateless module manager and stateless module manager routes

said request..." (line 8-9) should read: register with said stateless module manager and

the stateless module manager routes said request. Appropriate correction is required.

6.   Claim **3** is objected to because of the following informalities: The phrase "the

said plurality of information modules generates a responds" (line 2-3) read: said plurality

of information modules generates a response. Appropriate correction is required.

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

8.   Claims **1, 3-5, 8-10, 12, 14, 15, 17, 19, & 20** are rejected under 35 U.S.C. 102(e)

as being anticipated by **Bavadekar (US Publication 2003/0009571)**, hereinafter

Bavadekar.

9.   In considering independent claim **1**, Bavadekar discloses a distributed
information processing system, comprising:

- a client device interface (fig. 3B, #206, "HTTP proxy server") adapted to receive
  requests for electronic information ("web pages", ¶0034) from a plurality of
  remote devices (fig. 3B, #200A & 200B) [fig. 6B, steps 606 & 620, ¶0101];

- a stateless module manager (fig. 3B #208, "web server") adapted to receive and
  route said requests from said client device interface [fig. 6B, steps 624 & 626,
  ¶0101-0102]; and

  [*The module manager in inherently stateless given that the HTTP is stateless*
  request/response protocol.]

- a plurality of information modules (fig. 3B, #202, "brokers") [¶0080], wherein

- said information modules register with said stateless module manager and
  module manager routes said request to an appropriate one of said plurality of
  information modules in accordance with a type of information requested [¶0031,
  ¶0080].

10.   In referencing claim **3**, Bavadekar discloses:
- the appropriate one of said plurality of information modules (brokers) generates a
  response (message formatted as a "replies", ¶0004) that is returned to said
  stateless module manager (Web server) ,and wherein said stateless module
  manager routes said response to said client interface device for delivery to a
  requestor [fig. 7B, steps 720, 726, & 732, ¶0109-0110].

11.   In considering claims **4, 14, & 19**, Bavadekar discloses:

- requests and responses are formatted as Java objects [¶0009, ¶0014, ¶0073].

12.   In considering claims **5, 15, & 20**, Bavadekar discloses:

- requests are made to said stateless module manager (Web server) as one of a

    synchronous or asynchronous request, wherein synchronous requests are

    handled on a first-in-first-out basis, and wherein asynchronous requests are

    processed and returned when completed [¶0026, ¶0069].

13.   In referencing claim **8**, Bavadekar discloses:

- information modules are loaded locally and remotely, wherein local modules

    reside on a same physical device as said stateless module manager, and

    wherein remote modules are located on other devices [¶0075].

14.   In referencing claim **9**, Bavadekar discloses:

- communication between locally loaded modules and said stateless module

    manager is accomplished via memory calls, object inheritance or inter-process

    communication [¶0075].

15.   In referencing claim **10**, Bavadekar discloses:

- communication between remotely loaded modules and said stateless module manager are accomplished via TCP/IP sockets [¶0033, ¶0081].

16. In referencing to claims **12 & 17**, Bavadekar discloses a method or receiving and responding to request for electronic information in a distributed information processing system, the method comprising:

- receiving a request for electronic information ("web pages", ¶0034) at a client device interface (fig. 3B, #206, "HTTP proxy server") [fig. 6B, steps 606 & 620, ¶0101];

- forwarding said request to a stateless module manager (fig. 3B #208, "web server") [fig. 6B, step 624, ¶0101];

- consulting a registry of available ("ready") information modules (fig. 3B, #202, "brokers") [¶0080];

- forwarding said request to an appropriate information module as determined in accordance with a type of information requested [fig. 6B, step 626, ¶0031, ¶0102].

17. Claims **1-3, & 10** are rejected under 35 U.S.C. 102(e) as being anticipated by **Peiffer et al. (US Publication 2002/0042839)**, hereinafter Peiffer.

18. In considering independent claim **1**, Peiffer discloses a distributed information processing system, comprising:

- a client device interface (fig.5, #20f, "network interface") adapted to receive requests for electronic information ("web resources", ¶0025) from a plurality of remote devices (fig. 2, #12, remote clients) [¶0020, ¶0026];

- a stateless module manager (fig. 2, #20, "networking device") adapted to receive and route said requests from said client device interface [fig. 7, steps 108 & 112, ¶0028, ¶0039]; and

    [*The module manager in inherently stateless given that the HTTP is stateless request/response protocol.*]

- a plurality of information modules (fig. 2, #14, "servers") [¶0025],wherein

- said information modules register with said stateless module manager and module manager routes said request to an appropriate one of said plurality of information modules in accordance with a type of information requested [¶0020, ¶0028, ¶0034].

    [Although Peiffer does not explicitly disclose that the information modules register with the module manager, Peiffer discloses *"--the HTTP multiplexer/demultiplexer may be configured to determine the type of HTTP request being made and/or the type of data being requested and accordingly route the request to the optimal server-side socket based on the requested data type or HTTP request type--"*, ¶0034). It is therefore inherent that the information module must "register" in advance with the module manager (or the module manager must have prior knowledge or the content type of the information module) in order for the module manager to properly route the request.]

19.   In referencing to claim **2**, Peiffer discloses:

- the requests to the client device interface are formatted as an HTML or plain-text formatted email [¶0024].

20.   In referencing claim **3**, Peiffer discloses:

- the appropriate one of said plurality of information modules (server) generates a response that is returned to said stateless module manager (networking device) ,and wherein said stateless module manager routes said response to said client interface device for delivery to a requestor [fig. 7, step 114 & 118, ¶0035, ¶0041].

21.   In referencing claim **10**, Peiffer discloses:

- communication between remotely loaded modules and said stateless module manager are accomplished via TCP/IP sockets [¶0019, ¶0024].

Claim Rejections - 35 USC § 103

22.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

23.   Claims **6, 16, & 21** is rejected under 35 U.S.C. 103(a) as being unpatentable

over **Bavadekar** as applied to claim 1 above, and further in view of **Burd et al. (US**

Patent No. 6,757,900), hereinafter Burd.

24.   In considering claims **6, 16 & 21**, while Bavadekar inherently discloses a

stateless module manager, Bavadekar does not explicitly disclose creating and

discarding instances of the module manager. Nonetheless, in analogous art, Burd

discloses a stateless module manager adapted to receive requests for electronic

information from remote devices [fig. 2, steps 200-202, col. 4, lines 41-48]. Burd further

discloses:

- instances of said stateless module manager are created each time a new request

   is received and discarded after the request has been handled [fig. 2, step 212,

   col. 8, lines 44-65].

      Given the teachings of Burd, at the time of the invention, it would have been

obvious to one of ordinary skill in the art to modify the system/method disclosed by

Bavadekar where instances of the stateless module manager are created each time a

new request is received and discarded after the request has been handled. The

motivation, as suggested by Burd, would be to clean up and close the connection after

the request has been handled [col. 15, lines 31-40].

25.   Claim **7** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Bavadekar, and **Burd** as applied to claim 6 above, and further in view of **Hunt (US**

Publication No. 2002/0087657).

26.   In referencing claim **7**, while Bavadekar in view of Burd disclose stateless

instances of a module manager, Bavadekar in view of Burd do not explicitly disclose a

multi-threaded instance of a module manager. Nonetheless, in analogous art, Hunt

discloses a system (see fig. 4), comprising a stateless module manager (fig. 4, #4,

"server") adapted to receive requests from a remote device (fig. 4, #402) [fig. 6, ¶0048].

Hunt further discloses:

- instances of said module manager are stateless and multi-threaded [¶0033,
   ¶0050].

    Given the teachings of Hunt, at the time of the invention, it would have been obvious

to one of ordinary skill in the art to modify the system/method disclosed by Bavadekar

and Burd where instances of the stateless module manager multithreaded. This would

have been a desirable feature because multiple requests could be serviced concurrently

for improved efficiency.

27.   Claim **11** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Bavadekar as applied to claim 1 above, and further in view of **Langseth et al. (US**

Patent No. 6,741,980), hereinafter Langseth.

28.   In considering claim **11**, while Bavadekar discloses a information modules,

Bavadekar does not explicitly disclose consulting a subscriber database. Nonetheless,

in analogous art, Langseth discloses a module manager adapted to receive request for

electronic information from a plurality of client devices [fig. 2A, col. 1, lines 12-23].

Langseth further discloses:

- information is sent by said information modules (fig. 2A, "channels); and said

  subscription database (fig. 2A, #26) is consulted to determine to which clients the

  information should be forwarded [col. 4, lines 7-15, col. 8, lines 30-36].

Given the teachings of Langseth, at the time of the invention, it would have been

obvious to one of ordinary skill in the art to modify the system/method disclosed by

Bavadekar where a subscriber database is consulted to determine to which clients the

information should be forwarded. The motivation, as suggested by Langseth, would

have been to forwarded information could be personalized to the client's desires [col. 4,

lines 7-15].

29.   Claims **13 & 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bavadekar, in view of **Langseth**, and further in view of **Masters et al. (US Patent No.
6,374,300)**, hereinafter Masters.

30.   In considering claims **13 & 18**, Langseth implicitly discloses:

- maintaining a list of supported services provided by each of said information

  modules [col. 7, lines 10-15, 45-50, col. 26, lines 26-39].

Both Bavadekar in view of Langseth doe not explicitly disclose handling service

collisions. Nonetheless, in analogous art, Masters discloses a system for receiving and

responding to requests for electronic information (abstract). Masters further discloses:

- handling service collisions if plural information modules (fig. 1A, #120, "node

  servers") are capable of responding to said type of information such that only one

  information module processes said request [fig. 2A, step 128, col. 7, lines 41-62].

Given the teachings of Masters, at the time of the invention, it would have been

obvious to one of ordinary skill in the art to modify the system/method disclosed by

Bavadekar and Langseth to handle service collisions of plural information modules. The

motivation as suggested by Masters, would be to load balance the request to the

optimal information module [col. 7, lines 41-62].

31.   Claim **22** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Bavadekar, in view of **Burd**, in view of **Hunt**, in view of **Langseth**, and further in view of

Masters.

32.   In considering independent claim **22**, see the combined rejections for claims 1, 3,

6, 8-10, & 13 above.

Response to Arguments

33.   Applicant's arguments with respect to independent claims 1, 12, 17, & 22 have

been considered but are moot in view of the new ground(s) of rejection.

Conclusion

34.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

- Bowman-Amuah (US 6,615,253), Duckett et al. (US 2003/0053420), and Burd et

    al. (US 20041/0199577) disclose stateless servers responding to HTTP requests
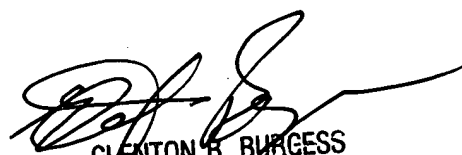
    from a client.

35.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Avalon Blenman whose telephone number is (571) 272-

5864. The examiner can normally be reached on Mon-Fri, 7:00 AM - 4:30 PM (even

date Mons. off).

    If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Avalon Blenman
12/14/2005

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